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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BRANDI PASSANTE

Plaintiffs,

vs.

HUNTER MOORE, AN INDIVIDUAL, AND
DOES 1-25,

Defendants.

Case No.: SACV 12-01866-JVS(ANx)

**REQUEST FOR ENTRY OF
DEFAULT; DECLARATION IN
SUPPORT THEREOF**

Plaintiff Brandi Passante ("Plaintiff") hereby requests that the Clerk of the above-entitled Court enter default in this matter against Hunter Moore, an individual ("Defendant"), on the grounds that Defendant has failed to appear or otherwise respond to the Complaint in this action within the time proscribed by the Federal Rules of Civil Procedure.

Defendant was served with summons and complaint on or about November 2, 2012.

Proof of service on Defendant was previously filed with the Court on or about November 6, 2012.

1 The above stated facts are set forth in the accompanying declaration of Linda
2 S. McAleer, filed herewith.

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4 Dated: February 12, 2013

Respectfully submitted,

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7 Linda S. McAleer
8 *Attorney for Plaintiff, Brandi Passante*
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DECLARATION OF LINDA MCALEER

I, Linda McAleer, declare as follows:

1. I am an attorney at law, duly admitted to practice before the Courts of the State of California and the United States District Court for the Central District of California. I am the attorney for Plaintiff Brandi Passante in an action styled Passante v. Moore, case number SACV 12-01866-JVS(ANx)

2. I make this Declaration in support of Plaintiff's request that the Court Clerk enter default in this matter against Defendant Hunter Moore, an individual. Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows:

3. I am informed and believe that, on or about November 2, 2012, Defendant was served with Summons and Complaint.

4. I am informed and believe that the Proof of Service on Defendant was previously filed with the court on or about November 6, 2012.

5. I am informed and believe that Defendant has not responded or appeared to the Court in any manner.

6. On or about January 23, 2013, the Court issued an Order to Show Cause ("OSC"), which required either an Answer or Request for Entry of Default to be filed on or before February 13, 2013.

7. I am informed and believe that counsel for Defendant first contacted my office on or about January 31, 2013. The Parties thereafter discussed meaningful settlement discussions and will continue working towards resolving this matter.

1 8. I am unaware of any answer that has been accepted by the Court and I have
2 confirmed this using PACER on February 11, 2013. Therefore, Plaintiff requests entry of
3 default against defendant Hunter Moore.
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6 I declare under penalty of perjury that the foregoing is true and correct under the laws of the
7 United States of America.

8 Executed this 12 February, 2013, at La Mesa, California,
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11 Linda McAleer
12 *Attorney for Plaintiff, Brandi Passante*
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